

March 16, 2004

March Sixteenth

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The second regular Meeting of Council was held on the above date at 7:00 p.m. in the Council Chambers located on the Fourth floor of the Municipal Building. The following Council Members were present: Ruby B. Archie, E. Stokes Daniels, Jr., Mayor John C. Hamlin, T. David Luther, Albert K. "Buddy" Rawley, Jr., Sherman M. Saunders, H. Phillip Smith, and Vice-Mayor R. Wayne Williams, Jr. (8). Council Member P. A. "Pete" Castiglione, Jr. was absent (1).

Staff members present were City Manager Jerry L. Gwaltney, Deputy City Manager M. Lyle Lacy, III, Assistant City Manager for Utilities Joseph C. King, Interim City Attorney W. Clarke Whitfield, Jr., Finance Director Aubrey D. Dodson, and Clerk of the Council Annette Y. Crane, CMC.

Other Staff members present were Transportation Services Director Marc Adelman, Economic Development Director Ron Bunch, Community Development Director Jerry Fischer, and Public Affairs Director and Legislative Liaison Todd M. Yeatts.

Mayor Hamlin presided.

#### **INVOCATION AND PLEDGE OF ALLEGIANCE**

Council Member Daniels offered the invocation. The Pledge of Allegiance to the Flag followed.

#### **ANNOUNCEMENTS AND SPECIAL RECOGNITION**

Mayor Hamlin recognized Economic Development Director Ron Bunch. Mr. Bunch announced that Nanotech would be locating to Danville with a \$6.5 million investment in the community. The hi-tech company will provide approximately 54 new jobs with salaries averaging \$40,000.00. He advised the formal announcement would take place on Friday, March 26 at 1 p.m. in the area of the Pepsi Building.

Mr. Bunch advised the City is now undergoing a Foreign Trade Zone (FTZ) feasibility analysis to establish a foreign trade zone. He said a meeting was held today with community leaders to evaluate the feasibility. A FTZ is an important asset to have in place to help existing businesses stay strong and to help recruit new businesses to Danville.

Mr. Bunch thanked City Council for their support in helping to transition Danville's economy.

Mayor Hamlin, Vice-Mayor Williams and Council Members Daniels, Archie and Saunders expressed their sincere thanks to Mr. Bunch and to Marketing and Research

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Director Renee' Wyatt for their aggressive efforts towards bringing new business and industry to Danville.

Mayor Hamlin recognized Sutherlin resident Alan Kapornyai. Mr. Kapornyai appeared to speak in opposition to the adoption policies of the Danville Area Humane Society. Mr. Kapornyai advised he had been denied the opportunity to adopt a kitten for not having a fence and for not having a veterinarian. Mr. Kapornyai had distributed a packet to Council Members that included statistics from other shelters showing the total number of animals taken into a shelter versus the number of adoptions. He requested that Council Members review the information thoroughly because it was vital that the City show support to area citizens who wish to bring an end to cruelty to animals. He felt it was a shame that citizens had to travel as far as 90 miles away to adopt a pet.

Others who spoke in opposition to the adoption policies at the Humane Society were Sutherlin resident Cara Long, City resident Carolyn Tompkins, and Caswell County Resident Dana Ryman. They felt the adoption rules were too strict and citizens who would offer a good home to animals had been denied adoptions.

Local veterinarian Dr. Jeff Smith, of the Mt. Hermon Animal Clinic, spoke in favor of policies and procedures of the Society.

Joan Schwarz, a Danville resident, said she was one of the driving forces in getting the Humane Society started in Danville in 1984. Ms. Schwarz spoke in favor of the policies in place at the Society. She advised that when the Society was getting started, she was one of several individuals who traveled all across the State investigating other animal shelter operations. She felt the local animal shelter policies were the very best and commended Director Paulette Dean for her loyalty to the local pet population.

Humane Society Director Paulette Dean said the Board of Directors stood behind their adoption policies and guidelines. She said the guidelines were good ones and if the Board erred, it was on the side of caution and safety for the animals. Ms. Dean advised that officials from the United States Humane Society would begin reviewing the operations and assist in planning an expansion of the local shelter some time this summer.

Mayor Hamlin conveyed his appreciation to everyone present who spoke on the issue and to those who were present in support of pros or cons.

### **MINUTES**

Upon Motion by Council Member Smith and second by Council Member Luther, Minutes of the March 2, 2004 Regular Meeting of Council were approved as presented. Draft copies had been submitted to Council Members prior to the Meeting.

### **BUDGET ADOPTION-FY 2003-04-LEAD SAFE HOMES PROGRAM**

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Upon Motion by Council Member Archie and second by Council Member Smith, Ordinance No. 2004-03.03 presented by its First Reading on March 2, 2004 amending the Fiscal Year 2003-2004 Budget Appropriation Ordinance to provide for a grant from the Virginia Department of Housing and Community Development for the Lead Safe Homes Program in the amount of \$467,392 was adopted by the following vote:

VOTE: 8-0  
AYE: Archie, Daniels, Hamlin, Luther, Rawley, Saunders,  
Smith, and Williams (8).  
NAY: None (0).  
ABSENT: Castiglione (1).

**APPOINT BEBEAU TO COMMUNITY POLICY & MANAGEMENT BOARD**

Vice-Mayor Williams moved the adoption of a Resolution entitled:

RESOLUTION NO. 2004-03.02

A RESOLUTION APPOINTING JAMES F. BEBEAU AS THE REPRESENTATIVE FROM DANVILLE-PITTSYLVANIA COMMUNITY SERVICES TO THE DANVILLE-PITTSYLVANIA COMMUNITY POLICY AND MANAGEMENT BOARD.

The Motion was seconded by Council Member Daniels and adopted by the following vote:

VOTE: 8-0  
AYE: Archie, Daniels, Hamlin, Luther, Rawley, Saunders,  
Smith, and Williams (8).  
NAY: None (0).  
ABSENT: Castiglione (1).

**BUDGET AMENDMENT-FY 2003-04-VICTIM WITNESS PROGRAM**

Upon Motion by Council Member Luther and second by Council Member Rawley, an Ordinance entitled:

ORDINANCE NO. 2004-03.04

AN ORDINANCE AMENDING THE FISCAL YEAR 2003-2004 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR A GRANT FROM THE STATE FOR A VICTIM WITNESS PROGRAM IN THE AMOUNT OF \$48,408 AND APPROPRIATING SAME

was presented by its First Reading, as required by City Charter, to lie over before final adoption.

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### **SECTION 5303 TRANSPORTATION PLANNING FUNDS**

Council Member Daniels moved the adoption of a Resolution entitled:

#### **RESOLUTION NO. 2004-03.03**

A RESOLUTION REQUESTING THE DANVILLE URBANIZED AREA METROPOLITAN PLANNING ORGANIZATION TO APPLY FOR FEDERAL TRANSIT ADMINISTRATION SECTION 5303 TRANSPORTATION PLANNING FUNDS.

The Motion was seconded by Council Member Archie and adopted by the following vote:

VOTE: 8-0  
AYE: Archie, Daniels, Hamlin, Luther, Rawley, Saunders,  
Smith, and Williams (8).  
NAY: None (0).  
ABSENT: Castiglione (1).

### **COMMUNICATIONS**

There were no communications from the City Manager, Deputy City Manager, Interim City Attorney and City Clerk.

### **ROLL CALL**

Council Member Archie reported there had been notes and phone calls of appreciation for the outstanding dinner and program held on March 9 in recognition of citizens who serve on Council-appointed Boards and Commissions.

Mrs. Archie advised she attend the meeting on the Foreign Trade Zone today and she said the FTZ had been active since 1934. She said she had learned the FTZ is a trade program for exports and that it represents a public/private partnership to maintain and attract United States-based economic and trade activities. There are six (6) FTZs already in place in Virginia and Mrs. Archie expressed her excitement that Danville might be included.

Council Member Daniels asked if the agreement with Adelphia Cable had taken effect to date. City Manager Gwaltney advised that the agreement had not been finalized as yet because Adelphia owed the City between \$75,000 & \$85,000 that was indicated in a recent audit. Mr. Gwaltney said the contract would not be signed until the funds come forward. He said this did not indicate that Adelphia had done anything wrong, but in order for the City to receive the payment, it had to work its way through bankruptcy court.

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Mayor Hamlin advised he attended the Boys and Girls Club Annual Dinner. The event was held at the Institute of Advanced Learning and Research. Mayor Hamlin said the Institute is quite an impressive facility and he looked forward to many more events there.

Mayor Hamlin announced that on March 12, the George Washington High School Symphony Orchestra participated in the Sixth District Virginia Contest Festival in Blacksburg. Before a panel of four judges, the orchestra scored a perfect superior rating. There were 26 areas of performance in the scoring and the orchestra received 26 "A's," which is the highest rating a group can receive. Charles Sexton conducted the orchestra and out of the 22 years Mr. Sexton has lead the orchestra, a superior rating has been received for 19. Mayor Hamlin congratulated the orchestra for their excellence.

Council Member Luther said he was elated to hear of the news of the Foreign Trade Zone evaluation for Danville. He said that about a year ago, he mentioned this to the City Manager that perhaps it would be good for the City to receive such a designation.

Mr. Luther said that on Friday, March 5, the Galileo School celebrated "Foreign Language Week." Mr. Luther said he stopped by the event and was very impressed with the fluency of the students in foreign languages.

Council Members Saunders reported he had attended the banquet for the Boys and Girls Club. He said he was impressed with the young members, who were well dressed and well mannered. Mr. Saunders expressed his thanks for all the volunteers who worked effortlessly to make the event possible.

Council Member Smith advised that it had been brought to his attention that homeowners who apply for building permits to build decks, porches, or handicap ramps were being required to produce a survey plat of the property. He said some homeowners do not possess a plat and wondered if the property could be looked at in terms of information the City already has. He said in some cases, a survey could be very expensive. He asked the City Manager to examine the policy and see what could be done.

City Manager Gwaltney said that when the survey requirement went into effect, there were some concerns and it was agreed that the matter might need to be revisited. Mr. Gwaltney agreed to look into the matter and supply a report to Council.

Mr. Smith was expressed his pleasure that a FTZ was being considered. He said the FTZ would provide a weapon against the continued deterioration of jobs in our area. It would allow shipment of products in and out of the country and allows special benefits for local manufacturers.

Vice-Mayor Williams welcomed Chatmoss Cablevision customers, who will be able to view the Council Meeting on Wednesday evening. Dr. Williams stated he looked forward to the Work Session that follows the meeting, which will include the School Board and some members of the School administration.

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Dr. Williams asked City Manager Gwaltney for a report on the status of the Fixed Base Operator (FBO) at the Airport. Mr. Gwaltney agreed to do so.

The Meeting adjourned at 8:30 P.M.

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MAYOR

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CLERK